

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

7/18
830
In re:

CARMELO FLORES SANTOS

Case No.: 04-02552 GAC

Debtor(s).

Chapter 13

TRUSTEE'S REPORT ON CONFIRMATION

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

- ☒ Meeting of creditors §341 was held on April 20, 2004 or ☐ has not been held // ☐ Report re: Local Rule 3015.
☐ PCM: This is the Trustee's position regarding the request, under 11 U.S.C. §1329, for a post confirmation modification of a plan.

The LIQUIDATION VALUE of the estate has been determined in \$0.00 R2016 STM. \$1,500.00

With respect to the proposed (amended) Plan dated: March 05, 2004 Plan Base: \$27,300.00

ATTORNEYS FEES:	\$1,300.00	Paid:	\$0.00	Outstanding:	\$1,300.00
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The Trustee's Comments and Recommendation is as follows: ☐ FAVORABLE ☒ UNFAVORABLE

The Trustee's Report & Recommendation is based in the following grounds:

- ☒ INSUFFICIENTLY FUNDED: ☒ 11 U.S.C. §1322(a)(2) ☒ §1325(b):
Insufficiently funded to pay secured and priority claims.
☐ Plan fails CREDITORS' BEST INTEREST TEST [11 U.S.C. §1325(a)(4)]:
☐ Plan has NOT been proposed in GOOD FAITH [11 U.S.C. §1325(a)(3)]
☐ UNFAIR DISCRIMINATION [11 U.S.C. §1325(a)(3) & (b)(1)]
☒ FEASIBILITY [11 U.S.C. §1325(a)(6)] plan payments arrears are = \$860.00 = 2.00 PMTs.
Debtor is in arrears for the months of May and June 2004.
☒ FAILS DISPOSABLE INCOME TEST [11 U.S.C. §1325(b)]:
Debtor received yearly salary increases in the amount of \$2000.00.
☒ Debtor(s) has/have failed to comply with her/his/their duties as a Debtor(s), debtor(s) has/have failed to provide documents and/or information requested at the meeting of creditors. Please refer to §341 Creditors Meeting minutes. [11 USC §521]
☒ Failure to provide insurance to secured creditor or ☒ to state the insurance premium amount [11 U.S.C. §361].
☒ **OTHER/COMMENTS:**
(1) Proposed plan is insufficient to pat secured claim # 1 and priority claim of insurance carrier. (2) Debtor has failed to proffer insurance premium. (3) Debtor admitted to yearly salary increases of \$2000.00 not reflected in proposed plan.

WHEREFORE the Trustee respectfully ☒ **OBJECTS** ☐ **DOES NOT OBJECT** to the confirmation of the proposed Chapter 13 Plan for the reasons herein set forth. RESPECTFULLY SUBMITTED.

CERTIFICATE OF SERVICE: Pursuant to Bankruptcy rule 3015(f) and Local Rule 3015(b) the Chapter 13 Trustee herewith certified that a copy of this Report on Confirmation has been served by first class mail on this same date to the Debtor's attorney, and to the Debtor(s), to their address of record.
ROBERTO FIGUEROA CARRASQUILL

In San Juan, Puerto Rico this **June 21, 2004**

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